

AMENDED IN SENATE AUGUST 7, 2006

AMENDED IN ASSEMBLY MAY 26, 2006

AMENDED IN ASSEMBLY APRIL 6, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2937

Introduced by Assembly Member Pavley
(Coauthors: Assembly Members Lieber Chan, Lieber, and Mullin)
(Coauthor: Senator Romero)

February 24, 2006

An act to amend Section 60851 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 2937, as amended, Pavley. Pupils: ~~California High School Exit Examination~~ *high school exit examination*.

Existing law requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to develop a high school exit examination in English language arts and mathematics in accordance with state academic content standards. Existing law requires, commencing with the 2003–04 school year, each pupil completing grade 12 to successfully pass the high school exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school.

This bill would require the State Department of Education to conduct a study to determine which of the California Standards Tests, or combination of those tests, is equivalent to the English—and language arts portion or the mathematics portion of the high school exit examination, and the performance level on the test or tests that is

equivalent to a passing score on the pertinent portion of the high school exit examination, and to report its findings to the Legislature. The bill would require the department to recommend in that report whether or not specified proposals should be considered by the Legislature, including whether a pupil who takes a California Standards Test, or combination of those tests, determined by the department to be equivalent to the English~~and~~ language arts portion of the high school exit examination, and scores at a performance level determined by the department to be equivalent to a passing score on that portion of the high school exit examination, should be deemed to have passed that portion of the high school exit examination and whether a pupil who takes a California Standards Test, or combination of those tests, determined by the department to be equivalent to the mathematics portion of the high school exit examination, and scores at a performance level determined by the department to be equivalent to a passing score on that portion of the high school exit examination, should be deemed to have passed that portion of the high school exit examination.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 60851 of the Education Code is
2 amended to read:
3 60851. (a) Each pupil completing grade 12 shall successfully
4 pass the high school exit examination as a condition of receiving
5 a diploma of graduation or a condition of graduation from high
6 school. Funding for the administration of the high school exit
7 examination shall be provided for in the annual Budget Act. The
8 Superintendent shall apportion funds appropriated for this
9 purpose to enable school districts to meet the requirements of this
10 subdivision and subdivisions (b), (c), and (d). The state board
11 shall establish the amount of funding to be apportioned per test
12 administered, based on a review of the cost per test.
13 (b) Each pupil shall take the high school exit examination in
14 grade 10 and may take the examination during each subsequent
15 administration, until each section of the examination has been
16 passed.

1 (c) (1) ~~At the parent or legal guardian's request~~ *Upon the*
2 *request of the parent or guardian of the pupil*, a school principal
3 shall submit a request for a waiver of the requirement to
4 successfully pass the high school exit examination to the
5 governing board of the school district for a pupil with a disability
6 who has taken the high school exit examination with
7 modifications that alter what the test measures and has received
8 the equivalent of a passing score on one or both subject matter
9 parts of the high school exit examination. A governing board of a
10 school district may waive the requirement to successfully pass
11 one or both subject matter parts of the high school exit
12 examination for a pupil with a disability if the principal certifies
13 to the governing board of the school district that the pupil has all
14 of the following:

15 (A) An individualized education program adopted pursuant to
16 the federal Individuals with Disabilities Education Act (20
17 U.S.C. Sec. 1400 et seq.) or a plan adopted pursuant to Section
18 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794
19 (a)) in place that requires the accommodations or modifications
20 to be provided to the pupil when taking the high school exit
21 examination.

22 (B) Sufficient high school level coursework either
23 satisfactorily completed or in progress in a high school level
24 curriculum sufficient to have attained the skills and knowledge
25 otherwise needed to pass the high school exit examination.

26 (C) An individual score report for the pupil showing that the
27 pupil has received the equivalent of a passing score on the high
28 school exit examination while using a modification that
29 fundamentally alters what the high school exit examination
30 measures as determined by the state board.

31 (2) A school district shall report to the state board, in a manner
32 and by a date determined by the Superintendent, the number and
33 characteristics of waivers reviewed, granted, and denied under
34 this subdivision and any additional information determined to be
35 in furtherance of this subdivision.

36 (d) The high school exit examination shall be offered in each
37 public school and state special school that provides instruction in
38 ~~grades~~ *grade* 10, 11, or 12, on the dates designated by the
39 Superintendent. An exit examination may not be administered on

1 any date other than those designated by the Superintendent as
2 examination days or makeup days.

3 (e) The results of the high school exit examination shall be
4 provided to each pupil taking the examination within eight weeks
5 of the examination administration and in time for the pupil to
6 take any section of the examination not passed at the next
7 administration. A pupil shall take again only those parts of the
8 examination he or she has not previously passed and may not
9 retake any portion of the exit examination that he or she has
10 previously passed.

11 (f) Supplemental instruction shall be provided to any pupil
12 who does not demonstrate sufficient progress toward passing the
13 high school exit examination. To the extent that school districts
14 have aligned their curriculum with the state academic content
15 standards adopted by the state board, the curriculum for
16 supplemental instruction shall reflect those standards and shall be
17 designed to assist the pupils to succeed on the high school exit
18 examination. This chapter does not require the provision of
19 supplemental services using resources that are not regularly
20 available to a school or school district, including summer school
21 instruction provided pursuant to Section 37252. In no event shall
22 any action taken as a result of this subdivision cause or require
23 reimbursement by the Commission on State Mandates. Sufficient
24 progress shall be determined on the basis of either of the
25 following:

26 (1) The results of the assessments administered pursuant to
27 Article 4 (commencing with Section 60640) of Chapter 5 and the
28 minimum levels of proficiency recommended by the state board
29 pursuant to Section 60648.

30 (2) The grades of the pupil and other indicators of academic
31 achievement designated by the school district.

32 (g) The department shall conduct a study to determine which
33 of the California Standards Tests developed ~~under~~ *pursuant to*
34 Section 60642.5, or which combination of those tests, is
35 equivalent to the English ~~and~~ language arts portion or the
36 mathematics portion of the high school exit examination, and the
37 performance level on the test or tests that is equivalent to a
38 passing score on the pertinent portion of the high school exit
39 examination, and shall report its findings to the Legislature. The

1 department shall recommend in that report whether or not the
2 following proposals should be considered by the Legislature:

3 (1) Whether a pupil who takes a California Standards Test, or
4 combination of those tests, determined by the department ~~under~~
5 *pursuant to* this subdivision to be equivalent to the English ~~and~~
6 language arts portion of the high school exit examination, and
7 scores at a performance level determined by the department to be
8 equivalent to a passing score on that portion of the high school
9 exit examination, should be deemed to have passed that portion
10 of the high school exit examination.

11 (2) Whether a pupil who takes a California Standards Test, or
12 combination of those tests, determined by the department ~~under~~
13 *pursuant to* this subdivision to be equivalent to the mathematics
14 portion of the high school exit examination, and scores at a
15 performance level determined by the department to be equivalent
16 to a passing score on that portion of the high school exit
17 examination, should be deemed to have passed that portion of the
18 high school exit examination.